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SUBJECT: SUDAN/Humanitarian obstruction: Charge's call  
on HAC Commissioner

REF: State 5821

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Summary and Comment  
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¶1. (SBU) In a heated meeting with Humanitarian Affairs Commissioner Hassibo, Charge and USAID Farnsworth raised the new NGO law, Egeland, NRC, fuel and the SOFA. Charge noted the contrast between the constructive work being accomplished in Abuja (with the energetic help of the USG), and Sudan's very negative policies and actions vis-à-vis humanitarian aid. Today's UNSC meeting with Egeland would not be pleasant for Sudan's public image. Charge urged that some of these policies be reviewed and changed. In his responses, Hassibo was somewhat flexible in tone on some issues, but combative and rigid on the issues of the NRC (they will never be let back in) and Egeland (whose push to visit violated all norms of respect for sovereignty). He said that the GNU had formed committees to sort out whether the U.N. Status of Forces Agreement (SOFA) applied to all U.N. personnel.

¶2. (SBU) During his more heated remarks, Hassibo surely reflected an element of the NCP establishment that resents what it considers the increased intrusiveness and push of the international community. He repeated often that recent international actions (sending a formal letter on the NGO law, NRC misdeeds, Egeland) show a lack of respect for Sudan's sovereignty and are simply unacceptable to Sudan. His views no doubt represent those of Sudan's leaders for whom pride and sense of sovereignty are today outweighing the costs of increased international opprobrium and isolation. End Summary and Comment.

Hassibo instructed not to see "diplomats"  
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¶3. (SBU) USAID FSN had preceded Charge and USAID Farnsworth to the meeting with Humanitarian aid commissioner Hassibo abdel Rahman, and called to say that Hassibo had just told him he could not meet with "diplomats," but only with USAID. As Charge was already in the car with Farnsworth, they proceeded to the meeting. In the event, Hassibo received us without comment. (Hassibo is the hard-line NCP face of the HAC; the SPLM Minister was not present.)

Contrasting GOS policies  
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14. (SBU) Charge opened the meeting by noting that there were two patterns of Khartoum's policies seemingly pulling in opposite directions. For the first time in seven rounds, it seemed that real progress was being made in Abuja. The fact that VP Taha was in his second week there, and Charge Hume in his fifth, was testament to the hard work being done. It also illustrated the good will on the part of the USG to help Sudan solve the Darfur crisis. In contrast, however, were Sudan's systematic and repeated attempts to obstruct humanitarian aid. Prohibiting Egeland from visiting and kicking the NRC out of Kalma camp were seen by the international community as proof of Sudan's negative attitudes. In fact, Sudan would be in for some very tough public critique later in the day when Egeland addressed the UNSC. Aside from harming the delivery of aid to those in need, and violating international norms, these were self-inflicted wounds, noted the Charge. Asked for his comments, Hasibo said he would wait to hear our entire demarche.

NGO Law

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15. (SBU) In responding to our points on the new NGO law, the Commissioner complained that the international community's protest constituted interference in Sudan's internal affairs. The Commissioner stated that many donors have funded individuals who have no organization and are not registered with the Humanitarian Aid Commission (HAC), which is unacceptable. The GNU needs to know where the money is going. The Commissioner stated that civil society should approach government directly to complain about the law; to date only the international community has done so. The Commissioner also complained that NGOs are engaged in "political acts" when they ask Embassy representatives to intervene when problems arise. (Note: According to the law, political acts are grounds expulsion from Sudan. End note.) HAC

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avoided response to questions about backlogs in reviewing proposals as stipulated under the new law, but stated that HAC would welcome technical assistance, even from USAID, to help implement the law appropriately. (We and the UN will follow up.)

NRC

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16. (SBU) Before we could raise the issue of the Norwegian Refugee Council (NRC), the Commissioner launched into a near tirade. He stated that there is no chance for NRC to return to Kalma camp -- none. He was scathing about their behavior, using words like "intelligence" and "information gathering." He intimated that NRC knew what it had done that so annoyed the GOS and local authorities, but he would not elaborate with us. He noted that more than 10,000 humanitarians work in Darfur and 280 international NGOS are present in Sudan, and asked why the international community made such a "big deal" about NRC. From the GNU's perspective, NRC had not acted properly in South Darfur. Moreover, NRC was not implementing any activities in Kalma camp. (Note: This is inaccurate; NRC implemented teacher-training programs in Kalma.) The Commissioner emphasized that the government has a right make such a decision. The Cabinet of Ministers of South Darfur made the decision - even the President cannot contest the decision. He did not, in the end, however, discount the possibility for another camp coordinator. We said a coordinator was essential.

Egeland

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17. (SBU) In another heated monologue, the Commissioner stated that the GNU has the right to say no to Egeland's visit because the timing was inconvenient. The international community should not think it could do

whatever it wants. It was made clear, he said, that the timing was wrong and Egeland flew into and around the south without permission. Sudan's sovereignty could not be violated in this manner.

Fuel

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¶8. (SBU) The Commissioner clearly did not want to discuss this issue, saying only that local HAC offices could facilitate special fuel movement requests, which National Security must clear. These will be handled on a case-by-case basis.

UN SOFA

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¶9. (SBU) The government agrees to the UNMIS limited mandate, which is to assist the parties to implement the peace process. UNMIS is allowed to operate in the agreed upon areas and the military and civilian staff assigned to UNMIS can benefit from the privilege of the SOFA agreement. U.N. agencies operating under pre-existing arrangements can only benefit from SOFA-type freedom of movement if separately arranged through tri-partite agreements. Pronk's role as overall coordinator of the U.N. system does not cancel other GNU-U.N. agreements. In Darfur, the role of the mission is to support AMIS; SOFA should not apply to all U.N. agencies in Darfur. The GNU has created cabinet-level committee of ministers from Humanitarian Affairs, Justice, Internal Affairs, Federal Affairs, and Defense to sort out the issue. The Commissioner is heading a separate technical committee. The GNU position is to allow U.N. agencies to continue working while the SOFA is discussed; however, this means that U.N. staff would need travel permits.

A Parting Shot

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¶10. (SBU) In closing the meeting, the Commissioner reiterated that HAC would welcome USAID technical assistance. The Commissioner stated that the new NGO law meant that organizations like USAID would now need technical agreements with the Ministry of Humanitarian Affairs, just as NGOs have technical agreements with ministry partners. The unstated implication is that this would permit the HAC to regulate whom USAID funds. We reminded him that our technical agreement dating from 1958 is with the Ministry of Foreign Affairs, but he said this will now have to change with implementation of the NGO law. The Commissioner has raised this previously.

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STEINFELD